tary of State for India in Council as the case may require PROVIDED that unless and until I make any default as aforesaid the interest of the said securities or of any securities for which with such consent they may be exchanged shall be payable to me (*a*) PROVIDED always that nothing herein contained nor the security hereby given shall be deemed to limit my liability in respect of the matters aforesaid to the forfeiture of the said sum of one thousand rupees (Rs. 1,000) only, and that should that sum be insufficient to recoup the Secretary of State for India in Council in full for any loss or damage sustained by him in respect of the matters aforesaid I agree to pay to him on demand such further sum as shall be deemed by the Administrator General of Bombay necessary in addition to the said sum to cover such loss or damage as aforesaid.

Date

Signature.

*We ..... hereby declare ourselves sureties for the above said ..... that he shall do and perform all that he has above undertaken to do and perform and in case of his making default therein we hereby bind ourselves to forfeit to the Secretary of State for India in Council the sum of one thousand rupees (Rs. 1,000) in which the above said .... has bound himself or such smaller sum as shall be deemed sufficient by the Administrator General of Bombay to cover any loss or damage which the Secretary of State for India in Council may sustain by reason of such default.

Date

Signature.

RULES AND ORDER UNDER ACT VII OF 1913

INDIAN COMPANIES

EMPOWERING CERTAIN DISTRICT COURTS TO EXERCISE JURISDICTION CONFERRED BY THE ACT :—

Ahmedabad.

Notn. No. 9113, J. D., 14th Dec. 1914, B. G., 1914, Pt. I, p. 3020.

In exercise of the powers conferred by section 3 of the Indian Companies Act, 1913 (VII of 1913), the Governor in Council is pleased to empower the District Court of Ahmedabad to exercise all the jurisdiction conferred by the said Act upon the Court having jurisdiction under the said Act.

Broach.

Notn. No. 2074, J. D., 30th Mar. 1917, B. G., 1917, Pt. I, p. 858.

In exercise of the powers conferred by section 3 of the Indian Companies Act, 1913 (VII of 1913), the Governor in Council is pleased to empower the District Court of Broach to exercise all the jurisdiction conferred by the said Act upon the Court having jurisdiction under the said Act.

*To be used when sureties are required in lieu of the deposit of Government securities.

Poona.

Notn. No. 5368, J. D., 12th Aug. 1916, B.G., Pt. I, p. 1761.

In exercise of the powers conferred by section 3 of the Indian Companies Act, 1913 (VII of 1913), the Governor in Council is pleased to empower the District Court of Poona to exercise all the jurisdiction conferred by the said Act upon the Court having jurisdiction under the said Act.

Sholapur.

Notn. No. 5369, J. D., 12th Aug. 1916, B. G., 1916, Pt. I, p. 1761.

In exercise of the powers conferred by section 3 of the Indian Companies Act, 1913 (VII of 1913), the Governor in Council is pleased to empower the District Court of Sholapur to exercise all the jurisdiction conferred by the said Act upon the Court having jurisdiction under the said Act.

Surat.

Notn. No. 2770, J. D., 20th Apr. 1915, B. G., 1915, Pt. I, p. 1114.

In exercise of the powers conferred by section 3 of the Indian Companies Act, 1913 (VII of 1913), the Governor in Council is pleased to empower the District Court of Surat to exercise all the jurisdiction conferred by the said Act upon the Court having jurisdiction under the said Act.

THE BOMBAY AUDITORS CERTIFICATES RULES, 1920

Notn. No. G-26, R. D., 17th Apr. 1920, B. G., 1920, Pt. I, p. 1068, as amended by Erratum, R. D., 4th May 1920.

In exercise of the powers conferred by sub-section (2) of section 144 of the Indian Companies Act, 1913 (hereinafter referred to as "the said Act"), and in supersession of Government Notification in the Revenue Department No. 3068, dated 1st April 1914, as subsequently amended, the Governor in Council is pleased to make the following rules providing for the grant of certificates entitling the holders thereof to act as auditors of companies, namely :—

1. *Short title and commencement.*—(1) These rules may be called the Bombay Auditors Certificates Rules, 1920.

(2) They shall come into force on the fifteenth day of May 1920.

2. *Exemption of duly notified Institutions or Associations.*—Nothing in these rules shall affect the members of any institution or association duly notified by the Governor General in Council under the proviso to sub-section (1) of section 144 of the said Act.

3. *Auditors Council.*—An Auditors Council shall be established for

disciplinary control over the holders of auditors' certificates practising in the Presidency of Bombay and in carrying out the purposes and objects of these rules.

4. *Auditors Council to consist of eight members.*—The Auditors Council shall consist of eight members appointed in the following manner, namely :—

(*a*) an official President nominated by the Governor in Council ;

(*b*) four non-official members also nominated by the Governor in Council ; and

(*c*) three members nominated by the Accountancy Diploma Board, Bombay, of whom two at least shall be Accountants and either members of an institution or association notified by the Governor General in Council under the proviso to sub-section (1) of section 144 of the said Act, or holders of a permanent unrestricted certificate granted by the Governor in Council under the provisions of sub-section (2) of section 144 of the said Act.

5. *Tenure of office.*—(1) The members of the Auditors Council shall hold office for three years and shall be capable of re-appointment.

(2) Any member may at any time resign his appointment by letter addressed to the Secretary to Government, Revenue Department.

(3) Upon the death or resignation of any member of the Auditors Council, some other person shall be nominated by the Governor in Council (or the Accountancy Diploma Board, Bombay, if the deceased or resigned member was nominated by that Board) and such person shall hold office so long only as the member in whose place he is appointed would have held it if the vacancy had not occurred.

(4) (*a*) Leave of absence from India may be granted by the Governor in Council to any member of the Auditors Council for a period not exceeding six months.

(*b*) If any member of the Auditors Council departs from India without the leave of the Governor in Council or does not return to India within the period of the leave granted by the Governor in Council, the Governor in Council may declare his seat vacant and such declaration shall have the same effect as resignation of his seat by the member concerned.

6. *Time and place of meeting.*—The Auditors Council shall hold their meetings at such times and places as the President of the Auditors Council shall appoint.

7. *Ex-officio Secretary.*—The Registrar of Companies, Bombay, shall be *ex-officio* Secretary of the Auditors Council.

8. *Details to be furnished by applicants.*—(1) Every person desirous of obtaining an auditor's certificate shall apply in the first instance to the Secretary to the Auditors Council.

(2) He shall state in his application his full name, age, residence and qualifications, and he shall also furnish, if he is the holder of a Government Diploma in Accountancy of the Sydenham College of Commerce and Economics Bombay, awarded by the Governor in Council, such Diploma, but if not then—

(*a*) if he has passed any examination in auditing or accountancy, a certificate to that effect and

(*b*) if he has served in any firm of auditors of accountants particulars thereof and the period for which he may so have served and

(*c*) if he has audited independently the accounts of any companies, the names of such companies and the number of the accounts so audited.

(3) He shall state in his application whether he has at any time applied for an auditors certificate from any other Local Government in India and the result of such application.

(4) He shall supply such further information bearing on his application as the Auditors Council or the Governor in Council may at any time require from him.

9. *Auditors Council not to pass final orders but to make recommendations.*—The Auditors Council shall not pass final orders regarding the grant or refusal of certificates, but shall make recommendations to the Governor in Council. Recommendations of the Auditors Council shall be in accordance with the majority of votes of the members, the President in case of equality of votes having also a casting vote : provided that no recommendation for the grant of a certificate shall be made in the case of any person who—

(*a*) has not attained the age of 21, and

(*b*) has not in the opinion of the Auditors Council had adequate practical experience for at least five years in auditing accounts, or has not been awarded by the Governor in Council a Government Diploma in Accountancy of the Sydenham College of Commerce and Economics, Bombay.

10. *Powers of the Governor in Council.*—The Governor in Council may pass such orders on the recommendations of the Auditors Council as he may think fit, and in exceptional cases may give permission to a person who, under the rules, is ineligible for auditing the accounts of Joint Stock Companies, to audit the accounts of any specified company for any specified financial year ; but such exceptional cases shall be reported to the Government of India.

11. (*1*) An auditor's certificate granted to the holder of a Government Diploma in Accountancy of the Sydenham College of Commerce and Economics, Bombay, shall be unrestricted, that is to say, it shall entitle its recipient to practise as an auditor in any part of British India besides enabling him to have a place of business in the Presidency of Bombay, but shall not entitle him to have a place of business in any other province of India without obtaining a certificate to that effect from the Government ofsuch province. An unrestricted certificate shall be in Form B appended to these rules.

(*2*) An auditor's certificate granted to any person other than a holder of such Government Diploma shall be restricted, that is to say, it shall [illegible] Bombay only

specified in such certificate. An unrestricted auditor's certificate shall be for an unlimited period.

12. *Fees for auditor's certificate.*—(*1*) No person shall be entitled to an auditor's certificate except on payment to the Secretary of the Auditors Council of a fee at the following rate, namely :—

	Rs.	a.	p.
(*a*) For a permanent unrestricted certificate ..	100	0	0
(*b*) For a temporary restricted certificate ..	37	8	0

(*2*) Such fee shall be credited by the Secretary of the Auditors Council to the Governor in Council.

(*3*) When a temporary certificate is renewed no additional fee shall be charged.

(*4*) When an unrestricted certificate is granted in lieu of a restricted certificate, only the difference between the respective fees shall be charged.

13. *Register of auditors.*—The Secretary of the Auditors Council shall keep a register of every person to whom an auditor's certificate has been issued by the Governor in Council. The name, residence and qualifications of every such person shall be entered in the register with the date on which the certificate was granted. It shall be the duty of the Secretary to keep the register correct and up to date. The register shall be open to the inspection of the public on payment of a fee of eight annas.

14. *Suspension or cancellation of certificates.*—The Governor in Council may at any time direct the suspension or cancellation of a certificate which had been issued under these or any former rules to any person who after due enquiry by the Auditors Council has been found guilty by them of negligence, misconduct or dishonesty in his professional capacity, whereupon the Secretary of the Auditors Council shall remove the name of such person from the register.

15. *Validity of auditors' certificates granted by other Local Governments.*—The holder of an unrestricted certificate granted by any other Local Government in British India, under sub-section (*2*) of section 144 of the said Act, shall be entitled throughout the Presidency of Bombay to act as an auditor of companies and to the same privileges as the holder of an unrestricted certificate granted by the Governor of Bombay in Council, except that he shall not be entitled to establish a place of business in the Presidency of Bombay without a certificate authorising him to do so granted by the Governor in Council.

FORMS OF AUDITOR'S CERTIFICATES

(See Rule 11.)

FORM A.

(Restricted Certificate, that is to say, valid throughout the Presidency of Bombay, but not outside such Presidency.)

Under the provisions of sub-section (*2*) of section 144 of the Indian Companies Act, 1913 (VII of 1913), the Governor of Bombay in Council is pleased to grant to you A. B residing at in the district of this Certificate which shall entitle you to act as an Auditor of Companies throughout the Presidency of Bombay

for the period from the day of 192 , to the day of 192 , inclusive.

Dated this day of 192 .

By order of His Excellency the Honourable the Governor in Council,

Under Secretary to Government,
Revenue Department.

FORM B.

(*Unrestricted Certificate, that is to say, valid throughout British India.*)

Under the provisions of sub-section (2) of section 144 of the Indian Companies Act, 1913 (VII of 1913), the Governor of Bombay in Council is pleased to grant to you A B residing at in the district of this certificate which shall entitle you to act as an Auditor of Companies throughout British India for an unlimited period but shall entitle you to have a place of business only in the Presidency of Bombay.

Dated this day of 192.

By order of His Excellency the Honourable the Governor in Council,

Seal

Under Secretary to Government,
Revenue Department.

DIRECTING THAT FOR THE PURPOSES OF THE REGISTRATION OF COMPANIES UDER THE ACT, THERE SHALL BE AN OFFICE IN THE CITY OF BOMBAY

Notn. No. 2799, R. D., 25th Mar. 1914, B. G., 1914, Pt. I, p. 646a.

In exercise of the powers conferred by sub-section (1) and sub-section (2) of section 248 of the Indian Companies Act, 1913 (VII of 1913), the Governor in Council is pleased—

to direct that, for the purposes of the registration of companies under the said Act, there shall be an office in the City of Bombay.

REGULATIONS WITH RESPECT TO THE DUTIES OF THE REGISTRAR AND ASSISTANT REGISTRARS OF COMPANIES IN THE BOMBAY PRESIDENCY

Notn. No. 9245, R. D., 14th Aug. 1913, B. G., 1913, Pt. I, p. 1689

Government Notification in the Revenue Department, dated 21st November 1866, the Governor in Council is pleased to make the following

regulations with respect to the duties of the Registrar and Assistant Registrars of Companies in the Bombay Presidency, namely :—

(1) The officer appointed by the Local Government for the registration of companies under section 248 (2) of the Indian Companies Act, 1913, hereinafter referred to as "the Act", as Registrar shall be known as "The Registrar of Companies" and any officer appointed by the Local Government under the said Section as Assistant Registrar shall be known as "The Assistant Registrar of Companies".

In these regulations the above-named officers are referred as "the Registrar" and "the Assistant Registrar" respectively.

The officers hitherto known as Assistant Registrars of Joint Stock Companies appointed for certain duties outside the town of Bombay shall hereafter be known as "Assistant Registrars of Companies".

(2) The office of the Registrar shall be at Bombay and shall be open for business (Sundays and authorised holidays excepted) between the hours of 11 a.m. and 4 p.m. except on Saturdays when it shall be open between the hours of 11 a.m. and 2 p.m.

(3) The Registrar shall permit members of the public to take inspection of such registers, records or documents as under the Act they are entitled to inspect, provided that, before such permission is granted, such inspection fees shall have been paid as are prescribed. But he shall not permit any member of the public to make or cause to be made any copy of any document, and he shall permit only such details to be copied by any member of the public as may, in his opinion, be so copied without objection.

(4) The Registrar shall, on the application of a member of the public, grant such copies as by the Act may be granted, on the previous payment of the fees prescribed therefor.

(5) The Registrar shall in respect of every payment made to him grant a receipt under his hand specifying in such receipt the document or documents in respect of which the fee is paid.

(6) The Registrar shall not file, register or record any document or fact, in respect of which a fee is legally payable, until the said fee has been received and shall, pending the receipt of such fee, act in the same way as if no such document has been tendered for filing, registration on record.

(7) The Registrar shall institute such enquiries or make such investigations with any person, firm or company and in respect of any matter as may, in his opinion, be necessary for the proper performance of his duties and the administration of the Act.

(8) The Registrar shall, for proceedings in respect to acts of default under the Act, instituted outside the town of Bombay, be entitled to the assistance of the appropriate public prosecutor ; and in respect of such proceedings instituted in the town of Bombay he shall be entitled to the assistance of the Solicitor to Government.

APPOINTING SUB-REGISTRARS TO BE EX-OFFICIO ASSISTANT REGISTRARS OF COMPANIES FOR THE PURPOSE OF PROSECUTING DEFAULTING COMPANIES

Notn. No. 3070, R. D., 25th Mar. 1919, B. G., 1919, Pt. I, p. 808.

In exercise of the powers conferred by sub-section (2) of section 248 of the Indian Companies Act, 1913 (VII of 1913), and in supersession of Government Notification in the Revenue Department No. 7804, dated the 27th October 1897, the Governor in Council is pleased to appoint the Sub-Registrars appointed under the Indian Registration Act, 1908 (XVI of 1908), specified in column 1 of the schedule hereto appended to be *ex-officio* Assistant Registrars of Companies for the purpose of prosecuting defaulting companies doing business within the districts mentioned against their respective designations in column 2 of the said schedule, the jurisdiction of such Assistant Registrars to extend respectively over the said districts.

SCHEDULE.

Name of Sub-Registrar.	Name of District.
Joint Sub-Registrars for the City of Ahmedabad and North and South Daskroi Talukas	Ahmedabad District.
Sub-Registrar of Broach	Broach District.
Joint Sub-Registrars of Surat	Surat District.
Sub-Registrar of Godhra	Panch Mahals District.
Joint Sub-Registrars of Haveli (Poona) ..	Poona District.
Sub-Registrar of Dharwar	Dharwar District.
Sub-Registrar of Karachi	Karachi District.
Sub-Registrar of Mehmadabad	Kaira District.
Sub-Registrar of Ratnagiri	Ratnagiri District.
Sub-Registrar of Ahmednagar	Ahmednagar District.
Sub-Registrar of Dhulia	West Khandesh District.
Sub-Registrar of Jalgaon	East Khandesh District.
Sub-Registrar of Nasik	Nasik District.
Joint Sub-Registrar of Satara	Satara District.
Joint Sub-Registrars of Sholapur ..	Sholapur District.
Sub-Registrar of Belgaum	Belgaum District.
Sub-Registrar of Bijapur	Bijapur District.
Sub-Registrar of Hyderabad (Sind) ..	Hyderabad District.
	Sukkur District.

FEES FOR THE INSPECTION AND FOR COPIES BY THE REGISTRAR OF COMPANIES

Notn. No. 7598, R. D., 22nd July 1918, B. G., 1918, Pt. I, p. 1464.

In exercise of the powers conferred by sub-section 5 of section 248 of the Indian Companies Act, 1913 (VII of 1913), and in supersession of the

order passed in paragraph 3 of Government Resolution, Judicial Department, No. 1375, dated 27th April 1866, the Governor in Council is pleased to direct that the fees for the inspection and for copies of documents kept by the Registrar of Companies should be fixed at the maximum rates allowed under the sub-section, *viz.* :—

	Rs.	a.	
(*i*) for each inspection	.. 1	0	
(*ii*) for a certificate of incorporation	. 3	0	
(*iii*) for a certified copy or extract of any other document	.. 0	6	per 100 words or a fraction thereof to be copied.

EXEMPTING CERTAIN COMPANIES FROM THE REQUIREMENTS OF SUB-SECTION (3) OF THE SECTION SUBJECT TO A PROVISO :—

The Holland-Bombay Trading

G. of I., Dept. of Commerce and Industry, Notn. No. 2622-D, 22nd Mar. 1919, republished in Government Notn. No. 3288, R. D., 29th Mar. 1919, B. G., 1919, Pt. I, p. 829.

In pursuance of the proviso to sub-section (3) of section 277 of the Indian Companies Act, 1913 (VII of 1913), the Governor General in Council is pleased to exempt the Holland-Bombay Trading Company, Limited, incorporated in Holland, from the requirements of sub-section (3) of the said section, provided that the Company files annually with the Registrar of Companies, Bombay, a copy of the combined Balance Sheet and Profit and Loss Account issued by it, together with an English translation thereof, certified in accordance with rule 8 of the Indian Companies Rules, 1914.

The B. B. and C. I. Railway

G. of I., Dept. of Commerce and Industry, Notn. No. 2627-D, 22nd Mar. 1919, republished in Government Notn. No. 3288, R. D., 29th Mar. 1919, B. G., 1919, Pt. I, p. 830.

In pursuance of the proviso to sub-section (3) of section 277 of the Indian Companies Act, 1913 (VII of 1913), the Governor General in Council is pleased to exempt the Bombay, Baroda and Central India Railway Company, incorporated in England, from the requirements of sub-section (3) of the said section, provided that the Company files annually with the Registrar of Companies, Bombay, a copy of the Balance Sheet showing the Company's Assets and Liabilities certified as correct by its Auditors as embodied in the half-yearly Home Accounts prepared by the Board for its stock-holders.

The G. I. P. Railway

G. of I., Dept. of Commerce and Industry, Notn. No. 4377, 21st June 1919, republished in Government Notn. No. 6577, R. D., 1st July 1919, B. G., 1919, Pt. I, p. 1603.

In pursuance of the proviso to sub-section (3) of section 277 of the Indian Companies Act, 1913 (VII of 1913), the Governor General in Council is pleased to exempt the Great Indian Peninsula Railway Company, incorporated in England, from the requirements of sub-section (3) of the said section, provided that the Company files annually with the Registrar of Joint Stock Companies, Bombay, a copy of the Balance Sheet showing the Company's Assets and Liabilities certified as correct by its Auditors as embodied in the half-yearly Accounts issued by the Directors of the Company to its stock-holders.

RULES UNDER ACT IX OF 1914

LOCAL AUTHORITIES LOANS

RULES FOR THE CONTROL AND INSPECTION OF WORKS AND ACCOUNTS

Notn. No. 1848, F. D., 20th June 1916, B. G., 1916, Pt. I, p. 1273.

In exercise of the powers conferred by rule 12 of the Local Authorities Loans Rules, 1915, published in the Notification of the Government of India in the Finance Department, No. 1020-A, dated the 10th November 1914, and in supersession of Government Notification in the Financial Department, No. 554, dated the 9th February 1894, the Governor in Council is pleased to make the following rules for the control and inspection of works and accounts, namely :—

I. The execution, supervision and audit of works entrusted to the Public Works Department will, as heretofore, continue to be subject to the rules of that Department as published in the Public Works Code.

II. The rules hereinafter following apply only to works to be constructed independently of the Public Works Department by local authorities authorized under the Local Authorities Loans Act, 1914, to raise money in the open market for the purpose.

III. It shall be the duty of the Executive Engineer in whose district such works are being constructed out of loans raised by local authorities in the open market under the Local Authorities Loans Act, 1914, or of any person specially authorized by Government in [illegible] accounts connected there-

IV. Such inspection shall ordinarily be [illegible] the Executive Engineer and monthly by the Public Works Department Sub-Divisional Officer in whose charge the work may be and shall be chiefly directed to ascertaining that the quantity and quality of the work executed and the progress made in construction are fairly commensurate with the outlay charged in the accounts.